COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: May 16, 2005
FILE NO. IAB 2144002

OFFICE CORRESPONDENCE

FROM: DANIEL FINKELSTEIN, CAPTAIN
TRANSIT SERVICE BUREAU

TO: TERRENCE BELL, #[redacted]
DEPUTY SHERIFF

SUBJECT: **WRITTEN REPRIMAND**

On or about August 22, 2003, at approximately 1500 hours, you failed to request back up or any other available, appropriate resources, and/or notify the Department's dispatch center or any other Sheriff's Department unit that you were attempting to detain a reportedly armed suspect in the area of Central Avenue and Fifty-Ninth Place prior to contacting the suspect. Your conduct in this incident is in violation of the following Manual of Policy and Procedures Section:

3-01/050.10, Performance to Standards.

You are hereby reprimanded for your conduct in this incident and advised that future violations of a similar nature may result in more severe discipline.

Daniel Finkelstein, Captain
Transit Services Bureau

Deputy Terrence Bell, #[redacted]

06/16/05
Date

761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: May 16, 2005

OFFICE CORRESPONDENCE FILE:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: DANIEL FINKELSTEIN, CAPTAIN
TRANSIT SERVICES BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, AUGUST 22, 2003, REVIEW #2144002 (aka #2101474)**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on August 22, 2003.

The Committee met on May 12, 2005, and consisted of myself and Commanders Kenneth Brazile (Commander of the Department) and Robert Binkley (FOR III). The Committee deemed:

- as **Founded** the allegation that Deputy Terrence Bell #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards.

The Committee recommended that Deputy Bell be given a **Written Reprimand**. The Committee further directed the Unit Commander send Deputy Bell to the Department's Laser Village training.

JGJ:KRK:kk

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IV#2101474

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: HIT / SUSPECT DECEASED
SH# 2101474
URN 003-02934-6893-013

DATE / TIME / LOCATION

Friday, August 22, 2003
1525 hours
[redacted] East 59th Place, Los Angeles

IAB SHOOTING / FORCE TEAM

Lieutenant Ben Seno; Sergeant David Stunson and Sergeant John Harris

INVOLVED PERSONNEL

BELL, Terrence L., Deputy #[redacted] MB[redacted] 5-11 192 Right Handed
Field Operations Region II
Transit Services Bureau (TSB)

Date of Employment: 07/00
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT

Guzman-Erazo, Ronald E. **(deceased)** MH/19 5-06 190

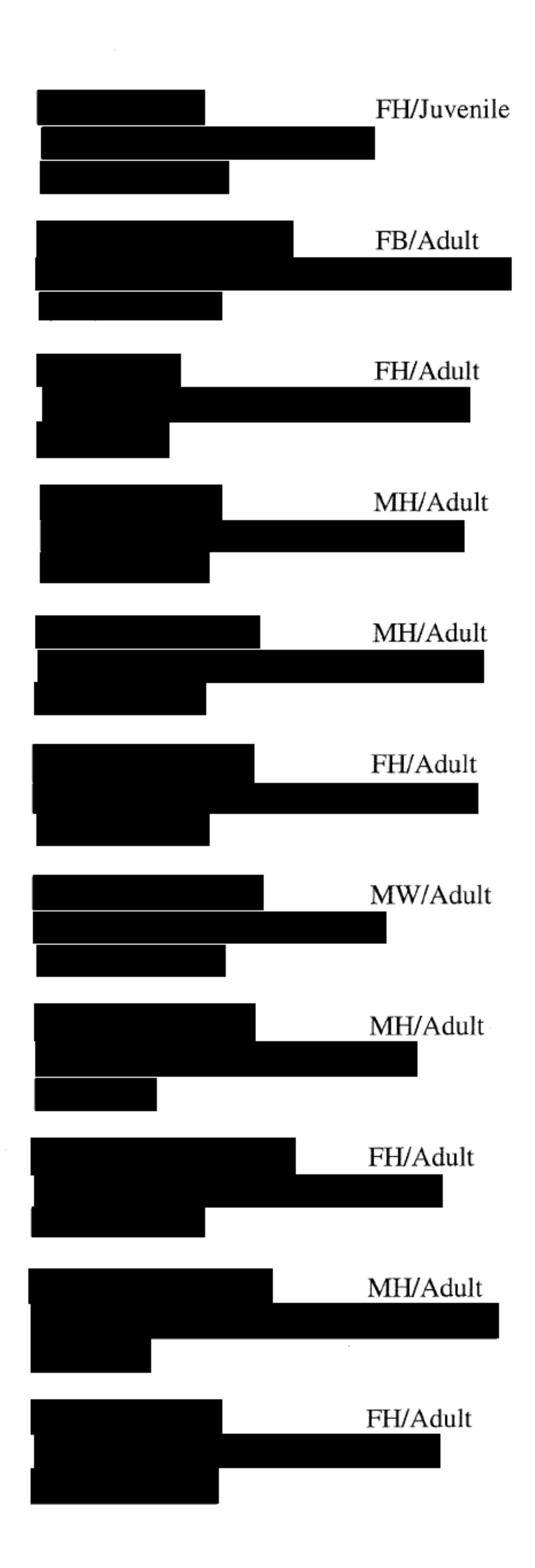
Criminal History: [redacted]

EMPLOYEE WITNESS

None

NON-EMPLOYEE WITNESSES

[redacted] FH/Adult
[redacted]



[redacted] FH/Juvenile

[redacted] FB/Adult

[redacted] FH/Adult

[redacted] MH/Adult

[redacted] MH/Adult

[redacted] FH/Adult

[redacted] MW/Adult

[redacted] MH/Adult

[redacted] FH/Adult

[redacted] MH/Adult

[redacted] FH/Adult



[redacted] FH/Adult
[redacted]

[redacted] MH/Adult
[redacted]

[redacted] FW/Adult
[redacted]

[redacted] MH/Adult
[redacted]

[redacted] FH/Juvenile
[redacted]

INJURIES

There were no injuries to deputy personnel or citizens.

Suspect Guzman-Erazo succumbed to a six bullet wounds to his torso area penetrating his heart and other vital organs. Four of the six bullet wounds were characterized as fatal injuries by the Coroner's examiner.

PHYSICAL EVIDENCE

Six expended 9mm shell casings were found on 59th Place in front of [redacted] One live 9mm round was found on Central Avenue near the west curb just south of 59th Place. Bloody clothing was also found laying in the driveway apron to [redacted] near where Suspect Guzman was treated by paramedics prior to his transport to the hospital. (Refer to **Exhibit C, sketch of scene**, and photograph **#7 in Exhibit E**).

Suspect Weapon - Multiple witnesses reported Suspect Guzman discharging an "Uzi" type of machine pistol while he was walking in the vicinity of E. 59th Place at or near Central Avenue, prior to Deputy Bell's arrival. Although the suspect's weapon was not recovered by investigators, his possession and discharge of the weapon was reported to Deputy Bell upon being flagged down by the MTA driver. Multiple witnesses reported that prior to Deputy Bell's arrival, they saw a dark colored SUV-type vehicle, occupied by at least two males, drive up to where the suspect had tossed the weapon onto the street surface, stop, and retrieve it, then drive away with the weapon. A number of vehicle stops were subsequently made by L.A.P.D. and L.A.S.D. units in the vicinity, of SUV's fitting the description, but neither the weapon nor additional suspects were located.

INVESTIGATOR OBSERVATIONS

The location was a single family and multiple unit residential home neighborhood. The front yards were secured by both chain-link and wrought iron fences.

LIGHTING AND WEATHER CONDITIONS

It was clear and daylight.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Bell:

Service Weapon Type:	Department Issued Beretta 92F 9mm Semi-Automatic
Rounds Fired:	Six
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

WEAPON USED BY SUSPECT

None recovered but he was reported to be in possession of an "Uzi" type machine gun (or "machine pistol" as described by some witnesses) prior to Deputy Bell's arrival. Shortly after Suspect Guzman-Erazo discarded the weapon on the asphalt on 59th Place and walked away, a vehicle described by multiple witnesses as an either black or beige-colored SUV similar to a Chevrolet Suburban, occupied by either two or three male Hispanics, stopped next to the weapon and one of the SUV's occupants got out, retrieved the weapon and then drove away from the scene.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators' Names:	Detectives Robert Kenney and Danny Smith, Homicide Bureau
Charges:	None - Suspect deceased

INVOLVED EMPLOYEE STATEMENTS

Involved Deputy Terrence Bell was interviewed by Detectives from Homicide Bureau on the date of the shooting. On August 22, 2003, Involved Employee Deputy Bell was assigned to the Transit Services Bureau Unit #689A, a one person patrol unit, working [redacted] to [redacted] hours. Deputy Bell's unit responsibilities include patrolling the bus lines throughout Downtown Los Angeles, South Central Los Angeles, Hollywood, East Los Angeles, EI Central and Echo Park.

Deputy Bell stated that at some point during the shift, he began patrolling a bus route south on Central Avenue. He stated he usually tries to stay on the southern area of his patrol district because

it has a higher volume of calls for service, indicating the area generally classified as the area of Los Angeles Police Department 77th Division and the Sheriff's Firestone Park area.

Deputy Bell's responsibilities include handling calls for service and problems on the buses, such as disturbances between bus passengers and passengers and the bus driver, as well as any crimes that occur on the bus, such as robberies.

Deputy Bell stated that the unit he was working on August 22, 2003, #689A, is the busiest unit at his unit due to the fact that it has a large geographical area of coverage, which makes it difficult to get from one location to another to handle calls. Other responsibilities for this unit included watching the buses, checking the buses during the boarding process, and riding the buses from time to time to ensure bus safety.

Deputy Bell stated that he has been flagged down by bus drivers, as well as civilians, numerous times and this is very common. Deputy Bell stated that on date of the shooting, he attended a shift briefing at approximately [redacted] hours, which lasted approximately 30 minutes. He was advised of a complaint by bus operators regarding various problems occurring on the buses in recent days. He further stated that in the preceding several days, he was briefed of a rash of armed robberies occurring on the Metro line railroad service, which is another duty of Transit Service Bureau.

Deputy Bell stated his normal shift is P.M. shift, [redacted] to [redacted] hours, and the night prior to his shift, he had a full night's sleep.

Deputy Bell stated that on date of the shooting, he had taken a vehicle report (non-specified) for a bus operator even though the location of the occurrence was in the Los Angeles Police Department's area. This occurred on 15th Street, somewhere between Central Avenue and the Downtown Los Angeles area. Deputy Bell stated that it had been a routine day. He had made no arrests nor had he had to calm any fights or other disturbances.

Deputy Bell stated that at approximately 1500 hours, he was flagged down by a bus operator (see Witness [redacted] interview summary on page 10) while driving south on Central Avenue. He observed an MTA bus that was stopped on the right (west) side of the road, facing south (see **Exhibit E, figure 1**). He observed that the bus operator had her left hand out the window on the left-hand side of the operator's seat, with her hand moving up and down to attract Deputy Bell's attention. Deputy Bell pulled up next to the bus operator and lowered his passenger's window to talk to the bus operator.

The bus operator told Deputy Bell that there was a Hispanic man with a gun who went east from her location. She also indicated that the individual with the gun was wearing blue (see suspect's clothing in **Exhibit E, figure7**). The bus operator clarified for Deputy Bell that the suspect with the gun had walked down 59th Place. Deputy Bell was also advised by a bus patron, who exited the bus and was now pointing toward 59th Place, that the suspect had been pointing guns at people before he walked east on 59th Place. The bus patron who had exited the bus advised Deputy Bell that the suspect was a male Hispanic, who was dressed in blue. He had been pointing a gun at the bus patrons. He

further described the suspect as in his late 20's, and having a mustache. The bus patron had then walked south on the south sidewalk and pointed east on 59th Place, telling Deputy Bell that the suspect was right there.

Deputy Bell drove his Sheriff's marked patrol vehicle east on 59th Place and observed a male Hispanic dressed in blue on the north side of the street. The suspect was the only individual walking on the sidewalk at that time. Deputy Bell stated that the suspect was approximately 100 feet east of Central Avenue. He further stated that the suspect was approximately 50 feet from the north/south alley, which is just east of Central Avenue. He further stated that during his first observance of the suspect, the suspect was adjacent to the second house just east of this north/south alley (see **Exhibit C, sketch of location**).
Deputy Bell stated that he could not see the suspect's left hand; however, he did observe that there was nothing in the suspect's right hand. Deputy Bell continued to drive east toward the suspect and began giving the suspect verbal commands to stop while seated in the radio car.

Deputy Bell drew his weapon and pointed it toward the suspect, who he believed had a weapon. Deputy Bell stated repeatedly, "Stop! Let me see your hands." The suspect continued to walk east and ignored Deputy Bell's commands. As the suspect continued to walk east on 59th Place, passing approximately three to four cars, Deputy Bell observed that the suspect began to slow down. Deputy Bell continued to give the suspect commands. He stated "Stop! Let me see your hands. Stop! This is the police."

Deputy Bell stopped his radio car and exited the vehicle while the suspect was approximately 10 to 15 feet west of Deputy Bell's location. Deputy Bell's vehicle was parked on the north side of the street, possibly located between a van [metallic blue Toyota Previa] (see **Exhibit E, figures 2 & 4**) and another vehicle. Deputy Bell opened his door and exited his vehicle. He walked away from his vehicle, continuing to give commands to the suspect. At no time did Deputy Bell observe that the suspect ever acknowledged his commands. At this point, Deputy Bell still could not see the suspect's left hand.

Shortly after this, Deputy Bell observed that the suspect stopped just east of a driveway (unknown which one) and the suspect continued to face east [away from Deputy Bell]. Deputy Bell continued to give the commands of, "Let me see your hands." Shortly after this, the suspect put his hands in the air, with his upper arms level at the shoulder and at a right angle to his body. Suddenly, the suspect began to walk backward toward Deputy Bell while still facing east. When the suspect began to walk backward toward Deputy Bell, Deputy Bell was in the street near the curb line and the suspect was walking on the sidewalk. The suspect began to walk backward directly toward Deputy Bell.

Deputy Bell observed that the suspect was wearing a blue T-shirt, untucked, and Deputy Bell could not see the suspect's waistband.

When the suspect was approximately 5 feet east of Deputy Bell, still walking backward very quickly toward Deputy Bell, the suspect turned and rushed toward Deputy Bell. Deputy Bell told the suspect

to get back as he put his left arm out in front of himself to ward off the suspect, while simultaneously pulling his weapon back to his right side to keep the suspect from getting control of his duty weapon.

As the suspect rushed toward Deputy Bell, Deputy Bell moved backward in an attempt to distance himself from the suspect.

While the suspect was backing up toward Deputy Bell, Deputy Bell began to think that he should broadcast radio traffic regarding the fact he was detaining a suspect with a gun.

Deputy Bell believed that was why his left hand was able to push the suspect away when the suspect attacked him, because his left hand had been reaching for his radio's microphone, which was clipped to the top of his uniform shirt near the top button.
As the suspect rushed toward Deputy Bell, Deputy Bell was able to push the suspect backward once using his left arm; however, the suspect continued to engage Deputy Bell and grab Deputy Bell's shirt near the top button while simultaneously grabbing the barrel of Deputy Bell's gun with his left hand. Once the suspect had a firm grasp of Deputy Bell's shirt and the barrel of Deputy Bell's gun, he began to pull Deputy Bell toward him. Deputy Bell and the suspect struggled over control of Deputy Bell's weapon. Deputy Bell believed that the suspect was trying to take Deputy Bell's weapon away from him and possibly kill him with the weapon. As Deputy Bell and the suspect struggled over control of Deputy Bell's gun, the suspect's hand was on the barrel of Deputy Bell's duty weapon and Deputy Bell's hand was on the grip of the firearm.

As Deputy Bell continued to struggle for control over his weapon, the suspect lost his grip on the gun as Deputy Bell yanked the weapon backward away from the suspect. Fearing if the suspect gained control over his weapon, and as the suspect was again attempting to grab Deputy Bell's gun, Deputy Bell discharged his firearm approximately five times fearing for his life and his safety. When Deputy Bell discharged his duty weapon, the suspect still had a grip on Deputy Bell's shirt and was attempting to pull Deputy Bell toward him. At this point, Deputy Bell was able to break free from the grip of the suspect, and the suspect fell to the ground after Deputy Bell had discharged his duty weapon.

Deputy Bell observed the suspect fall to the ground. After he fell on the ground, Deputy Bell observed the suspect scrabbling with his hands at his waistband, possibly reaching for a firearm. As this was occurring, Deputy Bell observed what he believed to be the butt of a handgun in the suspect's waist. Deputy Bell, believing that the suspect was preparing to pull out a handgun and kill him, moved back behind the left side of his patrol vehicle. At this point Deputy Bell could only see the upper torso portion of the suspect as he [suspect] was lying on the ground, due to the open driver's side door blocking part of Deputy Bell's view.

As Deputy Bell took a defensive position behind the left side of the patrol vehicle, he repeatedly told the suspect to stay on the ground. Moments later Deputy Bell observed the suspect as he stood up from the ground, threw his hands in the air as he had before, and the suspect continued to walk east on 59th Place. The suspect walked approximately 100 feet and then collapsed on 59th Place.

Deputy Bell stated that he believed the suspect was on some type of controlled substance because of his bizarre behavior.

Deputy Bell stated that as the suspect walked away from him, he did not want to shoot the suspect again, possibly in the back; however, he felt very afraid because of the fact he believed that he had shot the suspect several times and he was becoming very afraid of the suspect's action. It appeared to Deputy Bell that even though he shot the suspect several times, it appeared to have no effect on him.

When the suspect collapsed on the ground, Deputy Bell requested assistance and paramedics to his location, via Sheriff's radio.
Deputy Bell stated he believed he discharged his duty weapon approximately five times. He also stated he believed he saw the butt of the gun in the waistband of the suspect; however, he never saw the weapon.

Deputy Bell reiterated that from the rear of his patrol vehicle, the driver's door blocked his view and he could only see a small portion of the suspect while the suspect was lying on the ground after being shot. He also reiterated that he had no idea why the suspect was acting the way he was. Deputy Bell stated that he coordinated Century units, paramedics, as well Aero Bureau, to the location as soon as he had discharged his firearm.

After the victim had collapsed on the ground, Deputy Bell observed several gang members near where the suspect collapsed, where he further stated there was a crowd gathering in the general area immediately after the shooting. Deputy Bell stated that he maintained his position behind the radio car until backup units arrived because he was concerned the suspect may have a firearm and may attempt to kill him.

> **IAB Note:** During the hours subsequent to the shooting that Homicide, Internal Affairs and SSB personnel were present in the neighborhood, dozen's of people who were loitering just outside the crime scene on 59th Place jeered and cat-called intermittently. The neighborhood was apparently hostile to the presence of police on their block.

Deputy Bell stated that moments after he put out his request for immediate assistance, Transit Services Bureau Unit #604F, Deputies Kim and Teller, arrived at the location. Deputy Kim asked Deputy Bell if the suspect was still armed, and Deputy Bell replied that he did not know.

Deputy Bell reiterated that immediately after this incident, he observed gang members on the east end of the street beginning to congregate.

Deputy Bell declared that moments after he requested assistance, a Sheriff's Century Station unit arrived at the suspect's location and administered first aid using a Department issued trauma pack (Unit 214B, Deputies Curt Starz and [redacted]

At some point after the shooting, Deputy Bell stated that he moved his vehicle to allow Fire and rescue units direct access to where the victim was lying in the street (**Exhibit E, figures 2, 3 & 4 depict Sheriff's vehicles after Deputy Bell's radio car was moved**) . Fire and rescue units arrived

at the location and transported the suspect to the hospital. Prior to the suspect being removed from the location, Deputy Bell believes that a Century unit searched the suspect for weapons.

Directly after this incident occurred, a witness came from the southwest side of the street and told Deputy Bell, "That's the one who had the gun." Deputy Bell did not get this person's name but described this individual as a male Hispanic with a white T-shirt, approximately 5 feet 6 inches to 5 feet 7 inches tall, 150 to 160 pounds, with short hair, and possibly wearing blue jeans.

It should be noted that during this entire confrontation, the suspect did not speak to the victim, but only grunted when he attempted to pull Deputy Bell toward him. It was Deputy Bell's opinion that the suspect appeared to be a Hispanic gang member.

Deputy Bell advised the responding and assisting units that there were no other outstanding suspects.

At some point, Deputy Bell was told that someone in a black sports utility vehicle (SUV) stopped and picked up the suspect's gun; however, Deputy Bell did not witness this.

After the situation was rendered safe, Deputy Bell holstered his weapon and did not otherwise handle his weapon until instructed to do so by Homicide Detectives at the time of their interview with him.

At Homicide Investigators' instruction, Deputy Bell recovered his weapon, rendered it safe, and handed his duty weapon to Investigator Danny Smith. Investigator Smith observed that Deputy Bell had surrendered a Beretta semiautomatic pistol, Model #92FS, 9mm, Serial #BER[redacted] Investigator Smith observed there was one live round of Winchester 9mm Luger ammunition in the chamber. He also observed nine live rounds of Winchester 9mm Luger ammunition in the attached magazine. Deputy Bell stated that he carries his weapon with one live round in the chamber and fifteen live rounds in the magazine. Deputy Bell stated that he carries a backup weapon in his pocket; however, he did not use that weapon in this incident.

During his Internal Affairs Bureau Shooting/Force Review interview on November 23, 2004, he was asked specifically about his approach of the suspect and why he did not request additional resources prior to contacting him. He was provided a copy of the summary Homicide Bureau completed following their interview of him on the date of the shooting. He said the summary was essentially accurate. He said however, that when witnesses told him Suspect Guzman was walking eastbound on the north side of 59th Place, he looked but did not see the suspect, so he proceeded in his radio car east on 59th Place to try to locate him. He said that he wanted to at least make an initial "check of the vicinity to see" if he could identify if the suspect was on the walkway, in a yard, or if he could garner some other specific information before he put anything out on his radio. He said as he drove east looking for the suspect and passed a mini-van (see **Exhibit E, figures 2 & 4**), he saw the suspect 5 to 7 feet in front of him.

The remainder of his interview reflected essentially the same details as in his Homicide interview which was conducted the date of the shooting.

WITNESS STATEMENTS

Witness [redacted] - Ms. [redacted] was interviewed on the date of the shooting. She told an assisting TSB patrol deputy who responded to the location after the shooting that at approximately 1520 hours, she exited an MTA bus on Central Avenue at 60th Street. While she was waiting on the sidewalk for the light to change to green so she could walk south across 60th Street, she noticed "a male standing in the middle of the street acting crazy." She saw that he was shirtless and that he was trying to jump onto cars waiting for the light to turn green so they could proceed. He had a gun which he began to shoot into the air. He then walked northbound on Central Avenue and threw the weapon to the ground.

The witness ran northbound on Central Avenue to a vehicle that was parked next to the sidewalk facing south. She entered the car when the driver gave her permission to do so. While seated inside the car, she saw a "black SUV type vehicle," traveling northbound on Central Avenue, stop near where the suspect tossed his weapon. A male Hispanic exited the SUV from the front passenger door and picked up the weapon before re-entering the SUV which then U-turned and traveled southbound Central Avenue and out of sight.

Ms. [redacted] exited the car she was seated in and saw the suspect still walking northbound in the middle of Central Avenue and looking in her direction. She ran northbound on Central Avenue and entered an MTA bus which stopped on Central Avenue north of 59th Place facing south. She entered the bus for her safety and lost sight of the suspect.

The witness was later interviewed at Century Station by Homicide detectives. She related essentially the same version of events that she described to TSB deputies. She referred to the suspect as "the crazy guy." She added that she saw the suspect point his gun at passing motorists on Central Avenue prior to the deputy's arrival and contact with the suspect.

Witness [redacted] - Ms. [redacted] of Witness [redacted] and [redacted] of Witness [redacted] was also contacted by the TSB Deputy and she told him she also exited the MTA southbound bus as Witness [redacted] had done. She too noticed the suspect in the middle of Central Avenue shooting his weapon into the air. She also saw him jumping onto cars waiting at the red light at Central and 60th St. Witness [redacted] said the suspect threw the weapon on the ground and began to walk toward her location. She ran northbound to keep away from him. She flagged down a southbound MTA bus which stopped directly in front of her. She then turned and saw the suspect was still coming to her location so she ran east across Central Avenue and then east down 59th Place.

As she proceeded east on 59th Place, she saw a man standing in his garage and told him a "crazy man" was on Central Avenue and that he had a gun. Shortly thereafter, she saw the suspect again, this time walking east on 59th Place in the middle of the street. As he continued to walk eastbound, she saw a radio car drive up behind the suspect and saw the deputy exit and walk up behind the suspect. She said that the deputy reached and grabbed the suspect by the shoulder. The suspect, who she previously noticed was not wearing a T-shirt, had at this point, resumed wearing his T-shirt. He turned and began to fight with the deputy. She saw the deputy remove his duty weapon and fire two rounds at the suspect. The suspect turned and ran eastbound on 59th Place and out of her sight. The deputy returned to his radio car and then began using the radio.

Witness [redacted] was interviewed by Homicide investigators later in the evening on the date of the shooting and gave essentially the same account of the incident. She added that it appeared that the deputy was going to handcuff the suspect when the suspect stood up and aggressively moved toward the deputy. She said the suspect was trying to punch the deputy. She said the deputy and suspect were at close range when the deputy fired the rounds. She was not able to see if the suspect was trying to grab the deputy's gun from her position.

Witness [redacted] - Ms. [redacted] was interviewed later in the day of the shooting and told investigators that she was driving her empty MTA bus southbound on Central Avenue north of 59th Place when she saw three women run directly in front of her bus, waving their arms and yelling for help. She stopped her bus and two of the women ran inside the bus. One of the women told her that there was a man with a gun in the middle of the street and he was shooting at people. She looked out the front windshield and saw the suspect wearing blue shorts and carrying a blue shirt over his shoulder, walk from Central Avenue onto eastbound 59th Place and out of her view. She then saw a southbound Sheriff's vehicle approaching from behind her. She flagged the deputy down and told him that a man with a gun who was wearing blue shorts and shirt had just walked away onto eastbound 59th Place. She then saw the deputy (Deputy Bell) drive eastbound onto 59th Place (a westbound-only, one-way street).

Witness [redacted] walked southbound on Central Avenue to gain a better view down 59th Place and she saw Deputy Bell contact the suspect from behind. She said the deputy reached out to the suspect, who she noticed was now wearing a shirt, and touched his shoulder. The suspect turned toward the deputy and a struggle ensued. She saw the suspect hit the deputy in the face at least twice. The deputy removed his weapon and fired two rounds from it at the suspect. The suspect stopped his assault on the deputy, turned and began walking away. After just a "few feet," he fell to the ground.

Witness [redacted] - Ms. [redacted] was interviewed on the date of the shooting at Century Station. She commutes to work utilizing MTA buses. She told detectives that at about 1515 hours, she exited her bus at Central Avenue and 60th Street and was waiting for a green light so she could cross the crosswalk to the east side of Central Avenue. As she waited, the bus she exited proceeded southbound on Central and others waited at the corner with her. When the light turned green, she and the others began to cross Central Avenue. She noticed further south of her location, the suspect was crossing the street also and it was her impression that he was under the influence of drugs. She said he was running in and out of traffic primarily on the east side of Central Avenue. She noticed he was wearing a dark blue shirt and jean shorts. He was continually hitting his chest with both of his hands and then throwing his hands in the air. She said his actions seemed directed at passing motorists. She said he repeated these actions at passing motorists while taking off his shirt. He was yelling something in English at the motorists as he crossed to the west side of Central Avenue. She said the woman standing next to her said, "This guy is acting crazy."

The witness then noticed the suspect had a black gun which she described as having two handles. She said she thought it was in his waistband. She said that she and other women at her location noticed the suspect looking at them so they began to walk northbound up the street. The suspect began chasing the witness while pointing the gun at her. The others ran across Central Avenue to

the east side of the street and one of them got into a car at the east curb. The witness ran up to a second arriving bus a short distance north of her, and she began pounding on the bus's door. As she was screaming at the bus driver that there was a man with a gun nearby, she realized the suspect had run across Central Avenue to the east side of the street. She said numerous cars were stopping along Central as he proceeded through the traffic. She said police arrived right away. She said that everyone at the scene was pointing to where the suspect had gone (down 59th Place) to direct the police. She saw the radio car proceed east down 59th Place and then she heard yelling which she believed was a policeman yelling at the suspect to "get down." She then heard what she believed were three gunshots. She then ran home which was south and east of the location.

Witness [redacted] said that no one in the neighborhood likes the police and they have a "fuck the cops" attitude. She said that after she got home, she returned to the scene of the incident to report her observations. Detectives noted she was visibly upset during her interview and at times crying during the interview.

Witness [redacted] - Mr. [redacted] was interviewed the day of the shooting and told patrol deputies he was standing at the southeast corner of Central Avenue and 59th Place when he saw a man running up and down 59th Place kicking parked cars (see **Exhibit E, figure 5 for example** of one of the cars damaged by the suspect). He also said the suspect had a gun in his hand.

The witness saw a black SUV, possibly a late 90's Chevrolet Suburban, following the suspect. He saw two of the occupants of the SUV unsuccessfully trying to pull the suspect into the vehicle. He then saw a deputy arrive to the location and saw him try to handcuff the suspect. He saw the suspect and the deputy get into a physical altercation and he heard several gunshots. He added he did not see the actual shooting. He said that after the gunshots, a male Hispanic exited the black SUV (which had been following the suspect), and picked up the suspect's gun from the street and then drive away northbound on Central Avenue and out of his view. He told deputies the SUV was occupied by four male Hispanics.

> **IAB Note:** According to supplemental reports contained in the Homicide case book, multiple sightings of SUV type vehicles were made with assistance of LASD Aero and ground units following the broadcast of the black SUV's description over the Sheriff's radio. Each of the vehicles were stopped and the drivers contacted. All were ruled out as involved in the retrieval of the suspect's weapon or being associated with him. In addition, Los Angeles ``Police Department field units responded in short order and broadcast the suspect vehicle description which also resulted in some vehicle detentions and one pursuit and arrest. No weapon was found.

Witness [redacted] described the weapon the suspect had as a "machine pistol." He told detectives the suspect was acting "in a very erratic manner." He saw the suspect pointing his machine pistol at several people. He noticed that at one point when the suspect was pointing the machine pistol at people, he raised his hands above his head very abruptly which caused the weapon to "fly out of his hands" and onto the street. He saw the black SUV pull up, an occupant exit and retrieve the weapon from where it landed in the street, then drive off northbound on Central Avenue and out of view. He did not see the actual shooting.

Mr. [redacted] was interviewed by Homicide detectives on August 23, 2003, and related essentially the same version of events as he told TSB deputies the day before. He added that because of the way he (suspect) was chasing some female pedestrians and pointing his weapon at them, he believed the suspect was going to kill them. The arrival of a second bus and the gun flying out of the suspect's hands changed the direction of his focus and the suspect began walking east onto 59th Place and out of his view.

Witness [redacted] - Mr. [redacted] was interviewed by a patrol deputy in front of his residence on 59th Place. He said he was a [redacted] of the deceased suspect. He said he was talking with Suspect Guzman prior to the shooting. He said he was standing in front of [redacted] at about 1520 hours when he saw a deputy shoot the suspect. The suspect then fell in the street. He said that a beige pick-up truck stopped next to the suspect and then drive away in an unknown direction. He said that he did not see the suspect with a gun nor did he know if the suspect was carrying one at the time of the shooting. He said he has known the suspect for approximately 2 years and that Suspect Guzman is a member of the "Florencia Gang."

Witness [redacted] was interviewed by Homicide investigators later on the date of the shooting at his home at [redacted] He said the suspect (who he referred to as "Moreno") had come to his home prior to the shooting and asked him if he could have a bicycle. He told the suspect he did not have one and the suspect then left his home, walking west on 59th Place toward Central Avenue. After the suspect left, he walked back into his residence and put on a shirt and a pair of pants. He went back outside and walked out to the center of the street to see if any of his friends were around. They were not and so he began walking back to his home when he heard gunshots. He looked and saw his friend Moreno running toward Hooper Avenue (east). He said he thinks Moreno was "already shot and fell on the ground" when he turned to look He told investigators that he did not see the events preceding the shooting and he did not hear the suspect say anything. He also did not hear the deputy give any verbal commands nor did he see the suspect with any weapon.

> **IAB Note:** Mr. [redacted] who is 15 years old, gave Homicide investigators a contradicting account from what he told the patrol deputy earlier (see first paragraph).

Witness [redacted] - Ms. [redacted] told deputies she was driving northbound on Central Avenue approaching 59th Place when she saw a man running up and down 59th Place and kicking parked vehicles on the street (**see Exhibit E, figure 5**). As she was calling "911," she saw Deputy Bell arrive at the scene. She pointed out the suspect to Deputy Bell and then saw the deputy approach the suspect and heard him direct the suspect to face him. She saw the suspect turned toward the deputy and swing his fists at him. She had no further observations.

Witness [redacted] gave essentially the same account to Homicide detectives later the date of the shooting. She added that she perceived the suspect to look "crazy" and to be acting "wild" as well as appearing to be "on drugs." She characterized Deputy Bell's initial contact with the suspect when he was holding him as a "calming mode" as opposed to a "forceful" hold. When asked if the suspect may have been reaching for the deputy's firearm, she said it was possible.

Witness [redacted] - Mr. [redacted] was interviewed by investigators at 2200 hours on the evening of the shooting. He lives a few blocks away from the location of the shooting. He said that at about 1520 hours, he was the passenger on the bus traveling south on Central Avenue. He saw a Hispanic female running north on Cental Avenue toward the bus. He thought something must be wrong because the running female was crying and appeared frantic. The bus driver stopped the bus and opened the door allowing the woman to enter the bus. He said the woman said, "Help me. Help me. Some guy's chasing and shooting at us with a gun." A second Hispanic woman came running up to the bus and said, "Call the police." The witness said a uniformed deputy sheriff pulled up and he and other witnesses gave a description of the suspect and directed him where they saw him walk to on 59th Place. He said the deputy drove east on 59th Place and the witness followed on foot to make sure the deputy spotted the suspect.

Witness [redacted] said the deputy exited his radio car as the suspect was walking on the street's north sidewalk. He said the deputy grabbed the suspect's collar and pulled him back toward the radio car. He said the suspect "whirled around" to get loose and as he did so, the deputy shot him. The witness said he was not close enough to hear if anything was being said between the deputy and the suspect. He added that after being shot, the suspect "trotted" a short distance before collapsing on the street.

The witness said he did not see the suspect with a gun at any time. He added that at one point, the suspect broke free from the deputy's grasp and started to "fidget" with his shirt near his waistband. He demonstrated this movement by taking both of his hands to his waistband and moving his shirt up slightly from his waistband. He said the shirt was probably a "2X" size shirt which was baggy.

Witness [redacted] - Mr. [redacted] was interviewed via a Spanish translator on August 22, 2003. He said he was standing on the south side of the street (on 59th Place) prior to the shooting when he saw a deputy pull up, stop and exit his radio car. He said the deputy was yelling at the suspect who appeared non-responsive as he walked away from the deputy, ignoring his commands. The deputy grabbed the back of the suspect's shirt and started guiding him towards the radio car. The witness said it appeared to him that the deputy was trying to force the suspect to the ground and that the suspect was resisting. At one point, he saw the suspect pull the radio cord which extended from the deputy's Sam Brown belt up towards his shoulder area of his shirt. He said it appeared to him that the deputy shot the suspect while the suspect was facing the deputy.

He said that he does not understand English and he is not aware of what the deputy was saying to the suspect. He said the suspect was not talking or responding verbally to any of the deputy's actions. He believed it was possible the suspect was under the influence of drugs because he appeared to be intently focused on things in front of him, but at the same time, appeared unaware of his surroundings.

Mr. [redacted] said that after being shot by the deputy, the suspect walked eastbound a short distance and then fell down on the ground. He said the deputy stayed at the location where he shot the suspect and he did not follow him (suspect). In subsequent questioning, the witness said that just prior to the shooting, while in a struggle with the deputy, the suspect was falling and grabbed hold of the microphone cord, and then got up and was shot. He said the deputy was on the driver's side of the radio car when he shot the suspect.

Witness [redacted] - Ms. [redacted] was interviewed a short time later on the date of the shooting. She told deputies she had been driving northbound on Central Avenue in the #1 lane north of Gage Avenue behind other vehicles which were stopped at a red traffic light. She said that while waiting at the signal light, she saw the suspect in the intersection take his blue shirt off. He had a "military" type black gun in his right hand and he ran northbound on Central Avenue in the #2 lane. She noticed several people running away from the suspect. Fearing for her safety, she drove away from the location and contacted a nearby U.S. Postal Service police officer who contacted deputies.

> **IAB Note:** Field units discovered a live 9mm round in the southbound #2 lane of Central Avenue at 60th Street. A search for additional rounds was conducted but none were found.

Ms. [redacted] later told detectives she perceived the suspect to be "upset" and she had the impression that he might have been involved in a fight with someone. She said that from her vantage point, the suspect was in and out of her view but it was her belief that he was "on drugs" due to his behavior.

Witness [redacted] - Mr. [redacted] was interviewed on August 25, 2003. He told detectives (via a Spanish translator) that he was inside his store, [redacted] at about 1500 hours on August 22, 2003 when a woman told him that there was a Hispanic man in the middle of the street hitting cars. He went outside via the rear of his business and with a view northwest to 60th Street and Central Avenue, he saw the suspect striking cars with his fist and also kicking them with his feet. He saw the suspect in the middle of the street on Central Avenue just north of 60th Street. The suspect was wearing black cut-off shorts and intermittently wearing and not wearing, a shirt. He saw the suspect jumping onto cars that were stopped at the intersection. He watched the suspect's actions for about 5 minutes before calling police. Numerous people were running in all directions to get away from the suspect when he began to point his gun. He described the gun as approximately one foot long and looking like a machine pistol. The witness was told by several other witnesses later that the suspect dropped the weapon and that someone from a black SUV stopped and retrieved it after the suspect abandoned the weapon. The witness did not hear gunshots. He characterized the suspect's behavior as "very erratic" and he noticed the suspect sweating profusely.

Witness [redacted] - Ms. [redacted] is the [redacted] of the deceased suspect. She was contacted at the residence she, the suspect and other [redacted] shared. She identified her [redacted] via a Polaroid photograph of the deceased suspect. She was not present at the shooting scene.

Ms. [redacted] told Homicide detectives in a telephonic interview that her [redacted] was "possibly an associate member of the Florencia 13 street gang."

> **IAB Note:** Homicide detectives who examined the shooting scene on August 23, 2003, noted gang graffiti which indicated the suspect was a Florencia 13 gang member and his moniker was "Moreno." The graffiti also indicated he was possibly a member of the "Malditos" click of Florencia 13 (See **Exhibit E, figures 7 & 8**).

Witness [redacted] - Ms. [redacted] was interviewed the day of the shooting at her residence on 59th Place. Her interview was translated by a District Attorney Investigator [redacted] She

said that as she arrived home from picking her [redacted] up from school and was exiting her vehicle when she saw a uniformed deputy talking with the suspect in front of her residence. She heard the deputy giving the suspect orders to stop and to stand up. She heard the deputy say, "Stop! Stop!" She said the suspect clearly did not comply with these commands and he kept walking in a side to side, swaying motion. She saw the deputy grab the suspect at the back of his collar and pull him to the direction of his radio car. The deputy tried to force the suspect's legs apart as they stood by the radio car. The suspect began to fall and he put his arms up toward the deputy's chest. The suspect turned around and the deputy shot him in the chest. After he was shot, the suspect walked away eastbound and then fell on the ground. She heard someone yelling at the deputy that he should not have shot the suspect. She said the deputy looked nervous and surprised and was scanning around his location after the shooting.

Witness [redacted] - Mr. [redacted] was interviewed at her residence at about 2245 hours the day of the shooting. He told investigators in Spanish (which was translated to English by the same District Attorney investigator), that he was returning from his child's school when he saw the deputy on 59th Place. The deputy was telling the suspect to stop but the suspect was not cooperating and he continued to walk slowly away from the deputy. The deputy then grabbed a hold of the back of the suspect's shirt and then guided him over to the side of the radio car. He said this motion happened very quickly and the deputy and suspect were very close together at this time. He saw the suspect seemed to be falling and that the deputy shot him. After being shot, the suspect turned and looked like he was "running away" before he collapsed in the street. He yelled at the deputy that what he did was bad. The deputy acted like he was in shock but he kept looking around his position The witness said he did not see any weapon or other object in the suspect's hands when he was shot. He also told investigators he was familiar with the suspect as he has seen him drinking in the neighborhood on previous occasions. He added that he did not know why the deputy was following the suspect.

Witness [redacted] - Ms. [redacted] was interviewed by the same investigators at approximately 2300 hours the date of the shooting. She said that as she was arriving home with her [redacted] and pulling into the apron of her driveway, her [redacted] got out to unlatch and open the vehicular gate to the driveway when she heard somebody screaming in a loud voice, "Stop! Stop!" This drew her attention to a male Hispanic (later identified as the suspect) who was walking eastbound on the sidewalk of 59th Place. She said she saw the uniformed deputy yelling at the suspect and then grab hold of the rear collar of the suspect's shirt. She also heard the deputy yelling for the suspect to raise his hands in the air. She said that simultaneous to this, her [redacted] opened the gate and she began driving her vehicle onto the driveway. As she did so, she lost direct sight of the deputy and suspect but she heard four gunshots.

She told investigators she thought the deputy had his gun in his hand as he grabbed the suspect by the collar. She said she was about one house away from the scene of the shooting. She said it was her impression that the suspect had refused to comply with the commands of the deputy when he shot the suspect.

Witness [redacted] - Mr. [redacted] is a [redacted] at [redacted] in Los Angeles and he was interviewed the evening of the shooting. He said he was stopped at the traffic light in the northbound lanes of Central Avenue at 60th Street when he saw someone (later identified

as Suspect Guzman) standing on the running board, hanging from the side of a blue SUV that was traveling south on Central Avenue. He said the man was acting "weird," and appeared irrate. The man got off the running board and approached his car and said, "I like you." The man (suspect) then punched the side of his car several times. The witness pulled forward when the light turned green and pulled to the curb and parked in the 5900 block of Central Avenue to dial "911" on his cellular phone. He looked back and the suspect was still "creating havoc" with other motorists. He saw the suspect jumping on the hoods of cars on Cental Avenue.

The witness soon saw a black deputy sheriff pull up and park his radio car in front of an MTA bus which was stopped on Central Avenue near 59th Place. He exited his car to gain the deputy's attention and then pointed the suspect out to the deputy. The deputy entered his radio car and drove toward and approached the suspect. He said he saw the deputy grab the suspect by the back of his shirt, pull him forward and place him against the radio car. He said at that point, he (witness) went back to his car. He thought that the deputy gave verbal commands to the suspect but the suspect did not respond to the commands. He did not see the shooting but did walk back to 59th Place and saw the deputy with his gun out and the suspect already down on the street. He heard the deputy ask, "Did you see the gun?"

He added that he did not hear gunshots and did not know the suspect had been shot until after he spoke with the bus driver.

Witness [redacted] - Ms. [redacted] is a [redacted] and the [redacted] of Witness [redacted] and sister of Witness [redacted] She was interviewed at 2320 hours on the evening of the shooting by Homicide investigators. She said that when they exited the bus, they saw a "crazy man" in the street. He was jumping on cars in the middle of Central Avenue. At one point, she saw the man kick a gun which was on the ground. She did not see the gun being fired nor did she see him holding it. She said that when the man saw she, her [redacted] and [redacted] the man began to chase them. They ran off into a residential garage on 59th Place and out of the suspect's view. She had no further details.

SUSPECT'S STATEMENTS

None

MISCELLANEOUS

SSB lab reports indicate Suspect Guzman was under the influence of PCP.

A check of CHP "911" call records and LAPD call records indicate multiple informants called in to report the suspect's actions prior to the shooting. CHP and LAPD records are under Miscellaneous Documents at the back of the IAB case file.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
11-20-04	Transit Services Bureau	☐	☒

Incident Information

URN: 003-02934-6893-013	Date: 08-22-03 Time: 1525 hours
City or Station: Los Angeles (unincorporated)	Nature of Incident: While traveling on Central Ave., Deputy Bell was flagged down by an MTA bus driver who pointed out the suspect who he said possessed an "Uzi" type weapon. Deputy Bell approached and ordered the suspect to freeze, but the suspect began backing toward the deputy, then suddenly turned and charged him, grabbing Deputy Bell's shirt with his right hand and Bell's weapon with his left. Deputy Bell was able to pull his weapon away from the suspect and then fired six rounds, striking the suspect in the upper torso. The suspect was transported to a local hospital where he was pronounced dead.
Location: [redacted] East 59th Place	

Location Type (*circle one or more*):	Lighting (*circle only one*):	Incident Type (*circle one or more*):	Initiated by (*circle only one*):
Backyard Beach Business Freeway Industrial Park Parking Lot Residence Rural School **Street** Other: ______	Darkness **Daylight** Other Street Lights	Accidental **Armed Person** Fleeing Suspect Foot Pursuit Gun Take Away Moving Vehicle Sniper/Ambush Startle **Struggle Involved** Traffic Stop Unarmed Person Unintentional Vehicle Pursuit Warrant Service Other: ______	Arrest Warrant Call Observation **One Person Unit** Other Search Warrant Two Person Unit
	Weather (*circle only one*): **Clear** Cloudy Fog Rain		Prior Activity (*circle only one*): Detective Inmate Transport Other **Routine Patrol**
	Distance: 5 ft.		
Total # of Shots Fired by Deputy: 6	Total # of Shots Fired by Suspect: 0		Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*):	ShiftType (*circle only one*):
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*):	
[redacted]	Taylor	Tony	F.	**On Duty** Present during shooting	Witness to shooting Involved in shooting
				On Duty Present during shooting	Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Ryan	Jerome	F.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Hayden	Gary	L.

PSTD Use Only
SH # ______

See Reverse

Officer Involved Shooting

URN: 003-02934-6893-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
08-22-03	1800	11-30-04	

Employee #	Last Name	First Name	M.I
[redacted]	Stunson	David	J.
[redacted]	Harris	John	W.
[redacted]	Seno	Bennett	W.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	PH					NN	
E-1	S-1	FH	BR	9	Y	Y	DH	

See Front Side



Officer Involved Shooting
Involved Employee Information

URN: 003-02934-6893-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Bell	First Name: Terrance	M.I.: L.
Sex: M Race: B	Rank: DSG	Unit Assignment: Transit Services Bureau	Work Assignment (Unit #, Module, etc.): 689B
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-11	Weight: 192		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

Suspect Information

S 1

Last Name: Guzman		First Name: Ronald	M.I.: E.
AKA Last Name: Guzman Erazo		First Name: Ronald	M.I.: E.
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. 09-19-83	Height: 5-06 Weight: 190	FBI # [redacted]	CII # [redacted]
Booking # n/a	Primary Charge: Assault on a Peace Officer, 245 (d) P.C.	Secondary Charge: Brandish a Firearm, 417 (a)(1) P.C.	
Coroner Case? ☒	Coroner Case # 2003-06357	Intoxication/Drug Usage? ☒	Substance Used: Phencyclidine
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make n/a		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
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LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
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RICHARD D. DOYLE • Director

DA # 111228
08.17.04

August 12, 2004

Captain Raymond Peavy
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File #: 03-0660
L.A.S.D. File #: 003-02934-6893-013

Dear Captain Peavy:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 22, 2003 fatal shooting of Rolando Guzman-Erazo (Erazo) by Los Angeles County Sheriff's Deputy Terrence Bell. Based upon the information submitted to this office, we have determined that Deputy Bell acted lawfully in self-defense.

The following analysis is based upon a series of reports prepared by the Los Angeles County Sheriff's Department (LASD) submitted to this office on January 15, 2004. The District Attorney Command Post was notified of this shooting at 4:30 p.m. on August 22, 2003. Deputy District Attorney Margo Baxter and District Attorney Senior Investigator [redacted] responded to the scene where they were given a briefing, provided with a "walk through" of the scene and participated in witness interviews. No compelled statements were presented or considered for purposes of this analysis.

FACTUAL ANALYSIS

On August 22, 2003 at approximately 3:15 p.m., a man, later identified as Rolando Guzman-Erazo (Erazo) stood in the middle of Central Avenue near the intersections of 60th Street and 59th Place. It was a Friday afternoon and traffic on Central Avenue was fairly heavy. There were numerous pedestrians on Central Avenue, 60th Street and 59th Place.

At the same time, [redacted] and [redacted] got off an MTA bus at the corner of Central Avenue and 60th Street. As they waited to cross the street, [redacted]

saw Erazo standing in the middle of Central Avenue hitting his chest with his hands then throwing his hands into the air. Erazo was yelling at passing cars when he took his shirt off and threw it onto the hood of a passing SUV. Erazo removed the shirt as the SUV tried to slowly pass him and put it back on. As Erazo walked toward [redacted] she noticed that he was holding a gun in his left hand. She described it as black with two handles. [redacted] turned and walked away from Erazo who followed the group with the gun pointed in their direction. [redacted] flagged down a bus driver and got on the bus. She told the driver, later identified as [redacted] that the man had a gun. She turned and saw Erazo run back across the street. Cars were forced to stop as Erazo walked through the early rush hour traffic.

[redacted] exited the bus with her [redacted] at the same time [redacted] did. Her statements to investigators were consistent with [redacted] In addition, [redacted] saw Erazo fire one shot into the air and then throw the gun down onto the street. [redacted] believed that Erazo was under the influence of drugs. [redacted] described the gun to investigators as a black machine gun 12-18 inches long. As [redacted] was walking away from Erazo, she turned and saw a black SUV pull up to the gun. A male Hispanic got out of the passenger seat of the SUV and retrieved the gun that Erazo had thrown down. The male Hispanic got back into the SUV with the gun and the SUV drove away. The taking of the gun was witnessed by numerous witnesses at the location, including [redacted]

[redacted] was completing a cement job near the location at that time. As he returned to the site from a trip to a tool store, he heard gunshots. He saw Erazo walking in the middle of Central Avenue. Two males in a Chevrolet Sierra unsuccessfully tried to get Erazo into their car. As Erazo continued to walk in the northbound lanes of Central Avenue [redacted] saw Erazo pull a black "boxy" gun with a large clip from his waistband and point it at the occupants of the cars attempting to drive down Central Avenue. [redacted] saw Erazo jump on the hood and roof of a Datsun. When Erazo got down he began talking to the driver and passenger both of whom fled the car. Erazo then got into the Datsun and sat there. Traffic was at a complete stand still. [redacted] saw Erazo point the gun at and chase [redacted] and [redacted] and also saw the man in the black SUV pick up the gun from the street. [redacted] called 911 as Erazo walked eastbound on 59th Place from Central Avenue. He did not observe anything that happened on 59th Place.

[redacted] an MTA bus operator, was driving her bus southbound on Central Avenue at about 3:20 p.m. when she saw two female Hispanics waving their arms, crying and screaming for her to let them on the bus. [redacted] opened her door and one of the women ran onto the bus and told [redacted] and her passenger, [redacted] "There's a guy in the street. He's crazy and he's waving a gun." [redacted] pushed her bus' silent alarm. Almost immediately, [redacted] saw a Sheriff's Deputy in a patrol car, later identified as Terrence Bell, driving southbound on Central Avenue. She put her arm out of the window to flag him down. She described Erazo to Bell and told him that Erazo had walked east on 59th Place. She told Bell, "He has a gun."

Although at this point numerous people had called 911, Deputy Bell had not received any information about this situation until he was flagged down by Brantley. After speaking with [redacted] Bell drove his patrol car east on 59th Place and saw Erazo walking eastbound on the north sidewalk. Erazo matched the physical and clothing description given to Bell and was the only person walking down the street at the time. Deputy Bell followed Erazo in his patrol car. Bell was wearing an LASD uniform and driving a black and white patrol car. Believing Erazo to be armed, Bell drew his service weapon, identified himself as a police officer and told Erazo to stop and show Bell his hands. Bell could see that Erazo's right hand was empty but could not see his left hand. Erazo was wearing an oversized blue t-shirt that concealed his waistband.

Bell stopped his car, got out and followed Erazo. Bell continued to order Erazo to stop and show his hands. Erazo continued walking and did not react to or acknowledge the commands. Suddenly, Erazo stopped and put his hands above his head. Erazo walked quickly backward directly toward Deputy Bell. When Erazo came to within 5 feet, he turned suddenly and rushed toward Bell. Bell extended his left arm at shoulder level and ordered Erazo to back up. At the same time, Bell holstered his weapon to prevent Erazo from grabbing it. Bell pushed Erazo backward but Erazo came back at him. Erazo grabbed Bell's shirt near the top button with his right hand. With his left hand, Erazo firmly grabbed the barrel of Bell's gun. Bell was able to pull free and withdraw his service weapon. Erazo again attempted to grab Bell's gun.

In fear for his life, Bell fired his service pistol six times striking Erazo. As Bell fired, Erazo was holding onto Bell's shirt pulling Bell toward him. Bell was able to break free and Erazo fell to the ground. Erazo moved his hands near his waistband. Believing Erazo to still be armed, Bell took cover behind the door of his patrol car and ordered Erazo to stay on the ground. Erazo stood up and continued to walk eastbound on 59th Place. Approximately 100 feet later, Erazo collapsed onto the street.

After the shooting, Bell retained his position at his patrol car until backup units arrived because he believed Erazo to still be armed and a small crowd of gang members had formed in the area of the shooting. Bell told investigators that he believed Erazo was under the influence of drugs due to Erazo's bizarre behavior and the fact that the gunshot wounds appeared to have no initial effect on him.

A number of witnesses observed the events that occurred on 59th Place. Although their accounts differ from each other and from Deputy Bell's they are all consistent with Bell being engaged in a physical struggle with Erazo. A number of witnesses told investigators they saw Deputy Bell grab the back of Erazo's shirt and guide him toward the patrol car before Erazo turned to face Bell. Others saw Bell put out his arm to block Erazo's aggressive approach, as described by Bell. [redacted] was standing on the south side of 59th place when Bell got out of his car. [redacted] saw Bell holding the back of Erazo's shirt and then saw Erazo grab Bell's shoulder area pulling the cord that runs from Bell's belt to his shoulder. [redacted] believed Erazo to be under the influence of drugs because he seemed unaware of his surroundings.

[redacted] saw Bell grab Erazo in a "calming mode." Erazo tried to get away and turned and threw a punch at Bell. She could hear Bell ordering commands but did not understand them. Other witnesses heard Bell saying, "stop it, stop it." [redacted] was on the bus with [redacted] when she flagged down Bell. As Bell drove down 59th place, [redacted] got off the bus and walked down 59th place to help Bell locate the suspect. He also saw Bell grab the back of Erazo's shirt. Erazo then "whirled around" attempting to break loose. He then turned back around and "fidgeted" with his hands near his waistband which was concealed beneath an oversized shirt. [redacted] demonstrated the action by moving both of his hands to the hem of his shirt and slightly raising the shirt into the air. According to [redacted] Bell then fired four to five rounds at Erazo who then continued walking eastbound on 59th Place before he collapsed.

A Sheriff's deputy administered first aid to Erazo until paramedics arrived. Upon arrival, paramedics could not detect a pulse. Erazo was transported to Martin Luther King Medical Center where he was pronounced dead at 3:56 p.m. by an emergency room physician.

An autopsy was conducted on August 14, 2003 by Los Angeles County Deputy Medical Examiner, Raffi S. Djabourian, M.D. The cause of death was determined to be multiple gunshot wounds. Erazo's blood tested positive for Phencyclidine (PCP). Common effects of PCP use include, profuse sweating, a feeling of distance from one's surroundings, a blank stare and violent hostility.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams, (1977) 75 Cal.App.3d 731.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30, 5.32.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

Actual danger is not necessary to justify the use of deadly force in self-defense. If one is confronted by the appearance of danger which one believes, and a reasonable person in the same position would believe, would result in death or great bodily injury, one may act

upon those circumstances. The right of self defense is the same whether the danger is real or apparent. People v. Toledo (1948) 85 Cal.App.2d 577.

CONCLUSION

On August 22, 2003, Rolando Guzman-Erazo was under the influence of PCP, armed with a machine gun, possibly an Uzi, and terrorizing the neighborhood. Erazo jumped and pounded on cars, fired shots into the air and chased pedestrians at gunpoint. He was sweating profusely and appeared to be unaware of his surroundings. Erazo dropped his gun which was picked up by a passing motorist. Deputy Terrence Bell found himself in the middle of this chaotic situation as he conducted routine patrol down Central Avenue that afternoon. Bell was greeted by a group of excited individuals who told him that there was a man with a gun walking east on 59th Place. He had not been told that the man was under the influence of drugs or that the gun had previously been dropped.

Erazo did not immediately acknowledge Bell's commands to stop and show his hands. Suddenly, Erazo put his hands into the air and walked quickly backward toward Bell whereupon he spun around and attacked Deputy Bell. Erazo grabbed onto Bell's holstered gun with his left hand and Bell's shoulder with his right hand. Erazo punched Bell and reached toward his concealed waistband. Bell broke free from Erazo's grasp but Erazo again aggressively approached Bell. Fearing that Erazo would draw and fire the gun Bell believed he had, or take Bell's service pistol from him and shoot him, Bell fired six shots from his service pistol fatally wounding Erazo.

We conclude that Deputy Bell acted in lawful self-defense. We are closing our file and will take no further action regarding this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By Margo Baxter

MARGO BAXTER
Deputy District Attorney
(213)974-3888

c: Deputy Terrence Bell, #[redacted]